

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JANUARY 4, 2023

The Sanitary Board of the Cupertino Sanitary District convened this date at 7:00 p.m. This meeting was conducted via teleconferencing in accordance with AB 361. The District office at 20863 Stevens Creek Blvd, Suite 100, Cupertino was closed.

1. ROLL CALL:

President Kwok called the meeting to order, and the following proceedings were had to wit: Roll call was taken, with the following members in attendance:

Directors present: William A. Bosworth, Angela S. Chen, Taghi S. Saadati, David A. Doyle, and Patrick S. Kwok.

Staff present: District Manager Benjamin Porter, Deputy District Manager Robert Woodhouse, and Counsel Marc Hynes.

District Consultant: Richard K. Tanaka

Public: None

2. AB 361:

The Board of Directors makes the following findings required by AB 361 in order to continue holding meetings by teleconferencing electronically: (1) the March 4, 2020 Governor's Proclamation of a State of Emergency is still in effect, (2) the County of Santa Clara Health Officer announced on May 10, 2022 that COVID-19 cases are rising again to higher levels than last summer's surge and there is a rise in hospitalizations; she continues to encourage social distancing and advises people wear masks indoors, and (3) due to room capacity limitations, meeting in person would present imminent risks to the health or safety of attendees.

On a motion by Director Saadati, seconded by Director Doyle, by a vote of 5-0-0, the Board approved.

3. PUBLIC COMMENTS:

There were none.

4. CLOSED SESSION:

President Kwok adjourned the regular meeting session and opened the closed session at 7:02 p.m. Manager Porter, and Deputy Manager Woodhouse were excused from the closed session.

A. Conference with legal counsel – Existing Litigation in accordance with government code section Paragraph (1) of Subdivision (d) of Section 54956.9, existing litigation. Name of Case: County Sanitation District 2-3, West Valley Sanitation District, Cupertino Sanitary District, Burbank Sanitary District, and the City of Milpitas v. The City of San Jose, The City of Santa Clara, and Does 1 through 50 inclusive.

Board action: There was no reportable action.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JANUARY 4, 2023

President Kwok adjourned the closed session at 7:31 p.m. and the regular meeting was called to order. District Manager Porter, and Deputy Manager Woodhouse rejoined the regular meeting.

5. MINUTES & BILLS:

- A. On a motion by Director Saadati, seconded by Director Chen, by a vote of 3-0-1, the minutes of the regular meeting held on Wednesday, December 21, 2022, were approved. President Kwok abstained because he was not in the entire meeting due to technical issues. Due to power outages and loss of internet, Director Bosworth was not present to vote.
- B. By consensus, the Minutes of Wednesday, December 7, 2022, are to be Noted & Filed.

6. CORRESPONDENCE:

- A. The Board reviewed correspondence from the City of San Jose, titled: Third Quarter Adjustments for FY21-22 O&M and CIP Billing. It is to be Noted & Filed.

7. MEETINGS:

- A. Manager Porter plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Technical Advisory Committee (TAC) to be held on Monday, January 9, 2023.
- B. Deputy Manager Woodhouse plans to attend the CASA Collection System Work Group to be held January 11, 2023.
- C. President Kwok plans to attend the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) to be held on Thursday, January 12, 2023.
- D. Deputy Manager Woodhouse plans to attend the CASSE teleconference meeting to be held Thursday, January 19, 2023.

8. REPORTS:

- A. President Kwok reported on the teleconference meeting of the San Jose/Santa Clara Treatment Plant Advisory Committee (TPAC) held on Thursday, December 8, 2022.

9. UNFINISHED BUSINESS:

- A. District Manager Porter reported on the Covid-19 updates.

10. NEW BUSINESS:

- A. The Board discussed the California Water Environment Association AC23 Annual Conference to be held April 18-21, 2023, in San Diego, CA. President Kwok introduced the agenda item indicating that he has attended the conference in previous years. Board members inquired about the costs and the benefit to the District. The conference will have a technical program and an exhibitor hall. The cost was estimated to be \$2,000 - \$3,000.

CUPERTINO SANITARY DISTRICT BOARD MEETING
WEDNESDAY, JANUARY 4, 2023

11. STAFF REPORTS:

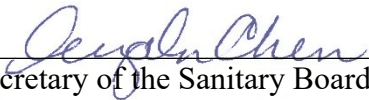
- A. Manager Porter reported on Future Development Projects.
- B. Manager Porter reported on CASA Winter Conference updates.

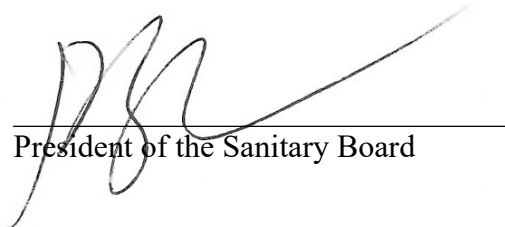
12. CALENDAR ITEMS:

- A. The next regular District Board meeting is scheduled to be held on Wednesday, January 18, 2023.

13. ADJOURNMENT:

On a motion properly made and seconded, at 7: 59 p.m. the meeting was adjourned.


Secretary of the Sanitary Board


President of the Sanitary Board